

## AGENDA FOR THE PLAN COMMISSION

Members noticed must notify the person who prepared agenda (see below) at least 24 hours before the meeting as to whether they will not be able to attend this meeting.

**Date and Time:** Tuesday, March 17, 2020 – **5:15 PM**  
**Location:** Council Chambers, Municipal Building, 101 South Blvd., Baraboo, Wisconsin  
**Plan Comm Notices:** Mayor Palm, P. Wedekind, D. Thurow, R. Franzen, P. Liston, J. O'Neill, T. Kolb, D. Marshall  
**Others Noticed:** T. Pinion, K. Downing, E. Truman, Library, and Media.

### **PETITIONERS OR REPRESENTATIVES MUST BE PRESENT OR SUBJECT WILL NOT BE HEARD BY THE COMMISSION!**

#### **1. Call to Order**

- a. Note compliance with the Open Meeting Law.
- b. Roll Call
- c. Approve agenda.
- d. Approve February 18, 2020 meeting minutes.

#### **2. Public Invited to Speak** (Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)

#### **3. Public Hearing**

- a. The request of Kennie & John Downing for a Conditional Use Permit to convert the existing structure into a two-family residential dwelling in an R-1A Single-Family Residential zoning district, located at 440 16<sup>th</sup> Street, City of Baraboo, Sauk County, Wisconsin.

#### **4. New Business**

- a. Consider Kennie & John Downing's request for a Conditional Use Permit to convert the existing structure into a two-family residential dwelling in an R-1A Single-Family Residential zoning district, located at 440 16<sup>th</sup> Street, City of Baraboo, Sauk County, Wisconsin.

#### **5. Adjournment**

Phil Wedekind, Mayor Designee  
Agenda prepared by Kris Jackson, 355-2730, Ext. 7309  
Agenda Posted by Kris Jackson on March 10, 2020

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**PLEASE TAKE NOTICE**, that any person who has a qualifying as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Municipal Clerk, 101 south Blvd., or phone 355-2700, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

**FOR INFORMATION ONLY, NOT A NOTICE TO PUBLISH.**

## **Minutes of Plan Commission Meeting February 18, 2020**

**Call to Order** – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

**Roll Call** – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, Jim O'Neill, Kolb, and Dee Marshall.

Also in attendance were Attorney Emily Truman, and Jay Hubanks.

### **Call to Order**

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by O'Neill, seconded by Franzen to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by O'Neill, seconded by Kolb to approve the minutes of the January 21, 2020 meeting. Motion carried unanimously.

**Public Invited to Speak** *(Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)* –There were no speakers.

### **Public Hearing**

- a. The request of Jay Hubanks for a Conditional Use Permit to convert the existing structure into a two-family residential dwelling in an R-1A Single-Family Residential zoning district, located at 838 8<sup>th</sup> Avenue, City of Baraboo, Sauk County, Wisconsin - There being no speakers, the hearing was declared closed.

### **New Business**

- a. Consider Jay Hubanks request for a Conditional Use Permit to convert the existing structure into a two-family residential dwelling in an R-1A Single-Family Residential zoning district, located at 838 8<sup>th</sup> Avenue, City of Baraboo, Sauk County, Wisconsin – Jay Hubanks introduced himself to the Commission and presented his request. It was moved by Liston, seconded by O'Neill to approve the request for a Conditional Use Permit to convert the existing structure located at 8398 8<sup>th</sup> Avenue into a two-family residential dwelling. On roll call vote for the motion, Ayes – Wedekind, Thurow, Franzen, Liston, O'Neill, Kolb, and Marshall. Nay – 0, motion carried unanimously.

**Adjournment** - It was moved by Liston, seconded by O'Neill to adjourn at 5:19 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee

## PLAN COMMISSION ITEM SUMMARY

March 17, 2020

**SUBJECT: CONSIDER KENNIE & JOHN DOWNING'S REQUEST FOR A CONDITIONAL USE PERMIT TO CONVERT THE EXISTING STRUCTURE INTO A TWO-FAMILY RESIDENTIAL DWELLING IN AN R-1A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, LOCATED AT 440 16<sup>TH</sup> STREET, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.**

**SUMMARY OF ITEM A:** The Downings recently purchased the property at 440 16<sup>th</sup> Street and would like to convert the existing single-family home into a two-flat dwelling. The original owner reportedly built the house in 1961 so the two floors could be easily separated into individual units but the house has not been used for anything other than a single-family home to date. The house is built on a slope so the lower level has exposure as well as an independent garage with its own driveway. Both floors are fully improved so this proposed conversion will not require any remodeling work.

### **COMPLIANCE/NONCOMPLIANCE:**

Pursuant to Section 17.37 – *Conditional Use Review and Approval*, I have found the application to be complete and have reviewed it for compliance with the ordinance.

**ACTION: Approve / Deny Conditional Use Permit (with certain conditions?)**

**ACTION: Approve / Conditionally Approve / Deny Site Plan**

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For Office Use:	Date		Date
<input type="checkbox"/> Application given by _____	_____	<input type="checkbox"/> Referred to Council	_____
<input type="checkbox"/> Received by Bldg. Inspector	_____	<input type="checkbox"/> Public Hearing Set	_____
<input type="checkbox"/> Fee received by Treasurer	_____	<input type="checkbox"/> Date Notices Mailed	_____
<input type="checkbox"/> Building Insp. Certified	_____	<input type="checkbox"/> Public Hearing Published	_____
<input type="checkbox"/> Filed with City Clerk	_____	<input type="checkbox"/> Public Hearing Held	_____
<input type="checkbox"/> Referred for Staff Review	_____	<input type="checkbox"/> Plan Meeting Action	_____

**City of Baraboo**  
 101 South Blvd.  
 Baraboo, WI 53913  
 (608) 355-2730 phone  
 608 355-2719 fax

### APPLICATION FOR CONDITIONAL USE PERMIT

(A non-refundable fee must accompany this application upon filing. - \$250 if public hearing required, or \$100 if no public hearing required.)

<b>FOR TREASURER USE ONLY</b> Receipt # _____ Account # 100-22-4440
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Date of Petition: 2/14/2020

The undersigned, being all the owners of the real property covered by this conditional use request hereby petition the City of Baraboo Plan Commission as follows:

1. Name and address of each owner: (Please attach additional pages as necessary.)

Kennie & John Downing  
440 16<sup>th</sup> Street  
Baraboo WI 53913

2. Name and address of applicant if not an owner. Describe interest in site (if tenancy, attach copy of current lease):

same

3. Address of site: 440 16<sup>th</sup> Street

4. Tax parcel number of site: 206-0010-00000

5. Accurate legal description of site (state lot, block and recorded subdivision or metes and bounds description) (Attach copy of owner's deed):

S 25-12-6 PRT SW1/4 SW1/4 COM 495' W OF SE COR - N 297' - W 165' - S 297' - E TO BEG (SWP&L EASE)  
1.13A M/L

6. Present zoning classification: R1-A Single family residential district

7. Requested conditional use: Convert the existing building into a two-family residential dwelling

8. Brief description of each structure presently existing on site:

One dwelling approx. 2600sf residence with the upper level dwelling unit (1900+ sf) and attached 2-car garage and one (790+sf) dwelling unit in the lower level with attached one-car garage; One accessory building (2-car garage)

9. Brief description of present use of site and each structure on site:

Primary residence for owner in upper level unit; Mother-in-law residing in lower level dwelling unit.

10. Brief description of any proposed change in use of structures if request for conditional use is granted:  
(include change in number of employees on site)

The house was originally built in the '70s with one dwelling unit on each level.

Requesting a CUP will allow conformance with its current use. Owner will live in upper unit, the lower level will be a separate dwelling unit. No employees.

11. The following arrangements have been made for serving the site with municipal sewer and water:  
N/A - All utilities are existing that service both units.

12. Name, address, and tax parcel number of the owners of each parcel immediately adjacent to the boundaries of the site and each parcel within 200 feet including street and alley right-of-way of each exterior boundary of the site (see section 17.37(3)(a) of City Code.)

1) Eva Dattilo-Caliendo 424 16<sup>th</sup> street 206-0009-00000 2) Marcia Swanson 423 15<sup>th</sup> street 206-0018-00000 3) LaNae Jabas & Kathy Thornburgh 429 16<sup>th</sup> street 206-0013-00000 4) Stan and Sandra Lankey 428 15<sup>th</sup> street 206-2724-00000 5) Philip and Theresa Flesch 431 14<sup>th</sup> street 206-2723-00000

6) Steven & Erin Murphy 510 16<sup>th</sup> street 206-0012-00000 7) Daniel & Clare Bar 505 16<sup>th</sup> street 206-0016-00000

13. A scale map or survey map must be attached showing the following: (Note: This section is not required for home occupation requests; skip to 14.) (see section 17.37(2)(a) of City Code.)

- Location, boundaries, dimensions, uses, and size of the site and structures and its relationship to adjoining lands.
- The approximate location of existing structures on the site, easements, streets, alleys, off street parking, loading areas and driveways, highway access and access restrictions, existing street, side and rear yards, proposed surface drainage, grade elevations.

14. State in detail, the evidence indicating proof that the proposed conditional use shall conform to each of the standards for conditional uses set forth in section 17.37(2)(b) of the City Zoning Code.

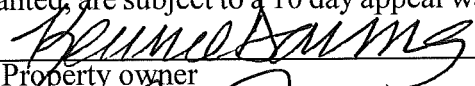
This home was built in the 1970s and constructed with two separate units. All building permits have been previously approved.

The lower unit complies with all fire codes. No changes will occur to the exterior. It will still look like a single family home on the outside.

WHEREFORE, the undersigned property owners hereby state that the foregoing information and all attachments to this Petition are true and correct to the best of our knowledge.

Notice to Property Owner: Conditional use permits, if granted, are subject to a 10 day appeal waiting time.

Dated this 17th day of February, 2020.

  
Property owner

  
Property owner

I certify that that I have reviewed this application for completeness.

Date: \_\_\_\_\_ Zoning Administrator: \_\_\_\_\_

